

1 RONALD C. CHAUVEL (SBN 83182)  
BRANDON L. REEVES (SBN 242897)  
2 GREENE, CHAUVEL, DESCALSO & MINOLETTI  
951 Mariner's Island Blvd., Suite 630  
3 San Mateo, CA 94404  
Telephone: (650) 573-9500  
4 Facsimile: (650) 573-9689  
ron@greenechauvel.com  
5 brandon@greenechauvel.com

6 Attorneys for Plaintiff  
De Sol Corp., Inc.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 (Oakland Division)

11 De Sol Corp., Inc., a California corporation,

12 Plaintiff,

13 vs.

14 Vegas Connection, Inc., a California  
corporation; Omar Awad, an individual;  
15 Jahangir Shahriari, an individual,

16 Defendants.

Case No. 4:07 CV-04107-SBA

**JOINT CASE MANAGEMENT  
STATEMENT OF PLAINTIFF DE SOL  
CORP., INC. AND DEFENDANTS  
VEGAS CONNECTION, INC., OMAR  
AWAD, AND JAHANGIR SHAHRIARI**

**Date: December 18, 2007**

**Time: 1:00 p.m.**

**Dept.: 3**

17  
18  
19 Plaintiff De Sol Corp., Inc. and Defendants Vegas Connection, Inc., Omar Awad, and  
20 Jahangir Shahriari hereby submit a Joint Case Management Statement.

- 21 1. Jurisdiction and Service. This action arises under the Perishable Agricultural  
22 Commodities Act of 1930 (7 U.S.C. § 499a et seq.) The Court has jurisdiction over this  
23 action under 28 U.S.C. § 1331 (federal question), more specifically 7 U.S.C. §§ 499e(b)  
24 and 499e(c)(5). Plaintiff asserts that venue is proper in this Court pursuant to 28 U.S.C. §  
25 1391(b)(2) in that a substantial part of the events or omissions giving rise to Plaintiff's  
26 claims occurred in the Northern District of California. The defendants dispute that the  
27 Northern District is the proper venue and have filed a motion to transfer venue to the

Central District of California. Defendant Omar Awad was served by substituted service. After Mr. Awad was served the remaining defendants agreed to accept service through their counsel John B. Richards. Thus, no parties remain to be served.

2. Facts. Plaintiff alleges it delivered perishable produce, which was imported from Mexico, to defendants' location in Los Angeles between January and June 2007. Plaintiff alleges that defendants failed to pay for some of that produce. Plaintiff claims \$151,181.77 in damages related to the unpaid shipments of produce, plus costs and attorney's fees and interest. Defendants dispute the amount owed, and claim that some of the produce went unaccounted for and that Plaintiff or Plaintiff's associates dumped the missing produce in the garbage without defendants' knowledge or consent. Plaintiff disputes these claims.
3. Legal issues. At the current time, the only disputed legal issues relate to venue - whether the Northern or Central District is appropriate.
4. Motions. Defendants' motion to transfer venue to the Central District of California is set to be heard by the Court on December 18, 2007. No other motions are scheduled at this time.
5. Amendment of Pleadings. The parties do not anticipate amending or dismissing claims and/or defenses at this time. Defendants have indicated their intent to possibly file counter-claims against Plaintiff.
6. Evidence preservation. All parties have taken steps to preserve documentary and other evidence to support their claims and defenses.
7. Disclosures. The parties have not made initial disclosures to date. The parties and counsel are presently working on a settlement of Plaintiff's claims and anticipate a final settlement and dismissal/stipulated judgment shortly.

- 1 8. Discovery. The parties have not conducted any discover to date. The parties and counsel  
2 are presently working on a settlement of Plaintiff's claims and anticipate a final  
3 settlement and dismissal/stipulated judgment shortly.
- 4 9. Class action. Not applicable.
- 5 10. Related cases. No related cases.
- 6 11. Relief. Plaintiff seeks \$151,181.77 in damages related to the unpaid shipments of  
7 produce, plus costs and attorney's fees and interest.
- 8 12. Settlement and ADR. All parties have agreed in principle to participate in ADR to  
9 resolve this dispute, however, the parties have not made specific arrangements.  
10 However, it should be noted that the parties and counsel are presently working on a  
11 settlement of Plaintiff's claims and anticipate a final settlement shortly.
- 12 13. Magistrate Judge. The parties are not opposed to a Magistrate Judge handling this case.
- 13 14. Other references. Not applicable to this case.
- 14 15. Narrowing of Issues. None at this time.
- 15 16. Expedited Schedule. The parties are agreeable to an early settlement conference with a  
16 Magistrate Judge should the case not settle as indicated above.
- 17 17. Scheduling. The parties do not have proposed dates for trial, discovery cutoff and/or  
18 designation of experts at this time.
- 19 18. Trial. All parties request a jury trial.
- 20 19. Disclosure of Non-party Interested Entities or Persons. Not applicable to this case.

21 DATED: December 10, 2007

GREENE, CHAUVEL, DESCALSO & MINOLETTI

22 BY: \_\_\_\_\_  
23 BRANDON L. REEVES  
Attorneys for Plaintiff

24 LAW OFFICES OF JOHN B. RICHARDS

25 BY: \_\_\_\_\_  
26 JOHN B. RICHARDS  
Attorneys for Defendants